File No. 721

Collection No.

19 31.

Mas
25/6/4T 26/6

Resident's Office,

Bangalore.

Pros. Serial Nos. 1-11.

Subject.

Theft of material objects produced in Court and payment of cost to complainant Mr. W.G.Pandit.

Previous References.	Later References.

S. 97. (Blue).

DCFP—1658S&P—(M-1937)—19-12-32—60,000.

S.N.1 D.O., dated 28-10-31, from the Commr. of Police, C & M Station, Bangalore.

It would seem that a demi-official letter to the Sessions Judge (Mr.C.V. Reddi) may be suitable.

A draft is submitted.

C.V. Ramanathan
3.11.31

Secretary to Chief Secretary

Fair for signature please, if approved.

W. Thomson
5.11.31

Chief Secretary

S.N.2 Issued No.8052, dated the 6th Nov.1931

P.U.C. S.N.3. Confidential demi-official letter No.C/8 dated the 12th November 1931, from the District and Sessions Judge, Civil and Military Station, Bangalore.

Please see P.U.C. and enclosure.

The further communication referred to in para 3 of P.U.C. may, perhaps, be awaited.

W. Thomson
12.11.31

Secretary

U/o
CONFIDENTIAL
No.C/9544/721-1931

THE RESIDENCY,
Bangalore, 13-11-1931.

To

The Commissioner of Police,
Civil and Military Station, Bangalore.

Please see para 6 of notes.

M. Thomson
13. XI. 31.

Seen with thanks
B
16/11/31

P.U.C.
S.N.4.

Confidential D.O. No.C/10 dated the 16th November 1931, from C.V. Reddi Esq., District and Sessions Judge, Civil and Military Station, Bangalore.

Please see P.U.C. and accompanying papers.

The file may, perhaps, be sent u/o to the Financial Adviser with the request that he will kindly say whether the sum of Rs.62/- to be met by Government may be sanctioned by the Resident.

For orders.

M. Thomson
18. 11. 31

U/o
CONFIDENTIAL
No.C/9563/721-1931

THE RESIDENCY,
Bangalore, 20.11.31

To

The Financial Adviser to the Hon'ble the Resident
Bangalore

EXAMINER ACCOUNTS OFFICE
24 NOV. 1931

for action vide para 9 of notes.

M. Thomson
20. 11. 31.

HE HON'BLE THE RESIDENT'S
TREASURY, BANGALORE,
Dated 24th November 1931.

12

The Hon'ble the Resident can sanction/expenditure of (about) Rs.62/- required to pay the party, as miscellaneous expenditure, under rule 64 of the Book of Financial Powers, chargeable to the contingencies of the District Court.

S Kumaraswamy
24.11.1931

The Secretary to the Hon'ble the Resident in Mysore B'lore.
U.O.No. 10 dated 24th November 1931.

Please see from para 9 of notes.

A draft to the District & Sessions Judge is submitted for approval please.

P.U.C.

A copy of S.N.4 and draft (if approved) may be sent to the Commissioner of Police for information.

W. Thomson
24.11.31.

Official draft may issue & Commr of Police may see the file. Will perhaps a brief precis of the case for Resident's information

25/11

As connected papers will be returned to the District and Sessions Judge on issue of draft, file is submitted with a brief precis for Resident's information, after which file will be put up to the Commissioner of Police for his information.

P.T.O.

16

A ~~In a~~ case of theft ~~which~~ was committed to, and disposed of by, the District and Sessions Court, and the following articles were stolen in the course of transit from the Sessions Court to the Railway Magistrate's Office for return to the complainant:-

1. A black leather purse.
2. Nine 10 rupee and two 5 rupee currency notes.
3. Ten one rupee silver coins, one copper and an old copper coin.
4. A small lens.

The above articles with other material objects were checked and packed into two bundles by the Bench Clerk, a man with 27 years service and a good record. The two bundles were then placed in an envelope with a list of the material objects and sealed with the court seals in the presence of the Registrar and handed over by him to Innasimuthu, a bailiff of the Court, for delivery in the Office of the Railway Magistrate. Innasimuthu was informed by the Despatching Clerk that the cover was sealed and contained money and was asked to get a careful and immediate acknowledgment. About an hour later on receipt of the cover at the Railway Magistrate's Office, the above articles were found missing by the Court Clerk who opened the cover in the presence of a peon. A remark to this effect was made in the delivery book which the bailiff was particularly asked to bring immediately to the notice of the officers of the Sessions Court. The bailiff took the sealed cover on which was endorsed "material objects in Sessions Cases Nos.1 and 2 of 1931 as per list enclosed" and said he would show it to the Clerk in the Sessions Court. As the clerk who opened the cover did not suspect anything at the time, he did not pay any special attention to the state of the seals. An investigation was held by the Police who considered the bailiff's conduct to be very suspicious. The District & Sessions

N S.N.3(a)

H S.N.3 para 2 Judge ordered his suspension and then held a departmental enquiry in the course of which it was clear that the bailiff was responsible for the disappearance of the articles. The fact that he took possession of the cover and failed to produce it in the course of enquiries leads to the natural inference that he tampered with the seals, extracted the material articles and did away with the cover in order to escape detection. Further he failed to bring the loss to the immediate notice of the officers of the District & Sessions Court though he was particularly asked to do so.

P.U.C. last para of S.N.4(a) As the Public Prosecutor is of opinion that a prosecution will not end in conviction, the District & Sessions Judge proposes to dismiss the bailiff and appropriate the sum to his credit as security deposit in the Postal Savings Bank, viz Rs.50/- plus interest, towards the money lost. He further suggests that the balance of about Rs.62/- payable to the complainant should be paid by Government. The Financial Adviser to the Hon'ble the Resident has been consulted and the sum may be sanctioned as miscellaneous expenditure under Rule 64 of the Book of Financial Powers, chargeable to the contingencies of the District Court.

Paras 9,11 & 12 of notes.

* M Removed by Secy.

A draft to the District & Sessions Judge is submitted.

M. Thomson
27. 11. 31.

Please see from para 6.
I a bad case.

Resident 28/11

29.11

CONFIDENTIAL
No.C/9586/721-1931,

THE RESIDENCY
Bangalore,
1st December 1931

To

The Commissioner of Police,
Civil and Military Station,
Bangalore,

for information, vide para 14 of notes.

M. Thomson
1. 12. 31.

Sun with thanks
B
1/12/31

S.N.5. Issued Confdl. D.O. No. C/9616/721-1931, dated 16th December 1931 to C.V. Reddi. Esq. B.A., B.L. District and Sessions Judge, C. & M. Stn. Bangalore
16/12.31

P.U.C.
S.N.6

Letter dated the 16th November 1931 from W.G. Pandit, 18 Nandaram Singh Lane, Bangalore.

The P.U.C. may, perhaps, be forwarded to the Commissioner of Police for disposal as he addressed this Residency in the first instance vide S.N.1. The Commissioner of Police has probably informed the Complainant how the matter stands after seeing the file vide para 18 and 19 of notes.

Draft for approval please.

M Thomson
30. 12. 31

31/12

S.N.7. Issued No. C/9677/721-1931 dt. 4.1.32 to S.H. Sullivan Esq Comm. of Police. C & M Station. Bangalore
16/4.1.32

P.U.C.S.No.8

Letter no.6478 Dated the 31st December 1931 from the District and Sessions Judge C&M. Station, Banglore.

A summary of the Case is in para 16 of notes.

The present application of the District and Session Judge PUC is with reference to the confidential d.o. at S.N.5.

(E)

The expenditure in question may be sanctioned. It is within the sactioning powers of the Resident vide para 16 above.

A draft order is put up.

V.V. Iyer
10/1-32

Secretary

13/1

S.N.9. Proceedings no.308 Dated the 15th January 1932, Issued.

S.N.10 D.V.C

Letter No. T.1-Bang.-291 Dated the 4/5th February '32 from the Accountant General, Madras.

(V)

The District ~~Magistrate's~~ Judge's letter no. 6478 dated the 31st December 1931 (S.N.8) gives all the information required by the Accountant General. A copy of it may therefore be sent to him.

The public Prosecuter had advised the District Judge that a prosecution might not end in conviction vide para 7 of the draft order which the District Judge proposed to pass in the departmental enquiry. The person was not therefore prosecuted. It is perhaps unnecessary to mention this circumstance to the ~~account~~ Accountant General.

A draft is put up.

V.V. marker 4/2/32.

Secretary wanted to see this file in connection with the Tuticorin dist.

Sept.

Sofg

Q 20/2

What business is this of A.G.?

In the present case there was a loss of public money by Govt. having had to make good the value of the material objects deposited in Court and which were stolen therefrom.

(T)

Under article 159 of the Audit Code the Accountant General is bound, on receipt of a report on defalcation or loss of public money, to call for such further information as he may require on the subject, examine the case and ascertain if the defalcation was rendered possible by any defect in the rules or want of supervision on the part of the treasury or other authorities. A report as to the result of such -- -

examination has to be made to the Local Govt. and their orders taken thereon.

The draft may issue.

(Illegible 29)

Supt.

Secy.

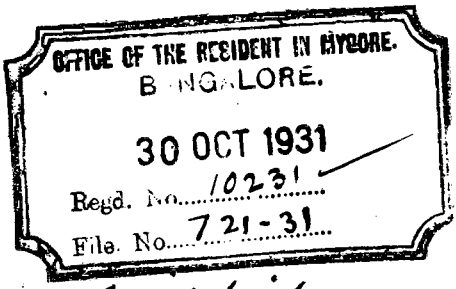
vv-mana
9-9-32

1574

S.N.11

Issued No. 2845 Dated the 23rd April 1932

28.10.31



E 30/8

C.I.R. 2/11/31

My dear Kirkbride

The learn was the complainant in a case of theft of Rs 120 which I tried here I went on leave. The case was committed to the Sessions in March & the case was disposed of then. The Rs 120 was lost or stolen after the accused

the case in the
Lessnis Court.
The applicant cannot get his
money or any satisfaction
when he makes enquiries at
the Lessnis Court. I think
his case is very hard & I
hope the judge be asked to
finish his enquiry as soon
as possible.

Yours sincerely
P. Wickstrom

D.O.No 8052

THE RESIDENCY,
Bangalore,
6th November 1931.

My dear Reddi,

The Commissioner of Police tells me that a certain M.G. Pandit was the Complainant in a case of theft of Rs.120/- and that the case was decided in your Court and the money recovered and sent by the Court to the Commissioner of Police for return to the Complainant, but that it never arrived. Would you be so good as to let me know if the facts are as stated and, if so, what hope there is of the man recovering his money ?

Yours Sincerely,
Sd/- G. Kirkbride.

o/c

To

C.V. Reddi Esq., B.A.,B.L.
District and Sessions Judge,
Civil and Military Station, Bangalore.

S.N. 3.

CONFIDENTIAL.

D.O.No.C/8.

District & Sessions Court,
C. & M. Station,
Bangalore, Dated 12-11-1931.

Dear Capt. Kirkbride,

Q. S.N.2.

1) With reference to your D.O.letter No:8052 dated the 6th instant I have to state as follows:-

2) On 15-7-1931 material objects in Sessions Cases Nos. 1 and 2 of 1931 on the file of my Court except those that were returned by this Court were checked and bundled up carefully by my Sessions Clerk (a senior Clerk) in two separate bundles. Both the bundles together with a list of the M.O's were placed in an envelope and sealed before the Registrar with the Court Seal. The sealed envelope was handed over by the Despatching Clerk within a few minutes thereafter, at about 12 Noon or 12-15 P.M., to Innasimuthu, a Bailiff of this Court who is entrusted with delivery of letters every day, and the Bailiff was directed to hand over the sealed envelope with its valuable contents at once to the Railway Magistrate and get an entry of acknowledgment in the peon book. The Bailiff is said to have left the office on bicycle immediately and returned to office only at about 4-45 P.M., The first intimation of non-receipt of the following M.O's, viz., (1) a black leather purse (M.O.9) (2) Nine 10 rupee and two 5 rupee currency notes (M.O.12) contained in M.O.9. (3) Ten one rupee silver coin, one copper and an old copper coin (M.O.13) and (4) a small lens. (M.O.14), was received in my office from the office of the Commissioner of Police at about 4-30 P.M., that day. A careful and thorough search was made in my office by my Registrar for the missing material objects and as they were not found here I reported the matter to the Commissioner of Police (Mr. Milton) that very night at his residence. Immediately I called upon my Registrar, Sessions Clerk and Despatching Clerk to give me their statements of what they

P.T.O.

they actually knew about the incident. Similar statements were received by me on the next day (16-7-1931) from Bailiff Innasimuthu, Bailiff Hanumanthu who sealed the envelope and Mr. S. L. Vinayaga Mudaliar of the Police Commissioner's Office. The Police investigated into the matter and I got the Commissioner's Confidential report dated 16/17-9-1931, a copy of which is herewith enclosed for your information. I ordered the suspension of Bailiff Innasimuthu with effect from 18-7-1931 until further orders. After receipt of the Commissioner's Confidential letter No. 96/S.B/31 dated - 16/17-9-1931 referred to above, I framed a charge in writing against Innasimuthu and held a departmental enquiry in ~~the~~ proper form. The enquiry was completed only recently and I am writing my order thereon which I propose to send with the entire file of papers relating to this enquiry for the perusal and approval of the Hon'ble the Resident.

3) The above are, in brief, the facts relating to the above incident. As will be evident from the report of the Commissioner of Police, there does not appear to be any chance of tracing the stolen articles. I request you to await my further communication on the subject of the complainant's - recovery of his money.

Yours sincerely,

To

Captain G. Kirkbride,

Secretary to the Hon'ble the Resident in Mysore,

BANGALORE.

S.N. 3(a)

Copy of Confidential letter No. 96/S.B/31 dated 16/17-9-1931 from R.S.Milton Esquire, Commissioner of Police, Civil and Military Station, Bangalore to the District and Sessions Judge, Civil and Military Station, Bangalore.

---:oOo:-----

With reference to your letter No. C/6 dated the 10th instant, I have the honour to state that in the course of investigation of the case registered in respect of the missing of the M.Os. from the sealed cover referred to it was ascertained that when the sealed cover was entrusted to Innasimuthu the M.Os. now reported missing were in the cover. From the time Innasimuthu was informed by my Confidential Assistant that some of the contents of the cover were not forthcoming Innasimuthu's conduct was very suspicious. He took over the empty cover but failed to produce it during enquiries, and further failed to bring the alleged loss to the notice of the Registrar or other officers of the - District Court immediately. If the sealed cover had been produced for enquiries and if the enquiry had been started before the Bailiff left the Police Office after delivering the cover something tangible could have been ascertained. Beyond this suspicious conduct on the part of Innasimuthu - who is heavily in debt - there is nothing definite in the shape of evidence against him, and inspite of all possible efforts to trace the stolen properties nothing was traced so far.

"COPY"

DISTRICT & SESSIONS JUDGE.

S.R.4.

CONFIDENTIAL.

D.O.No. C/10.

District & Sessions Court,
C. & M. Station,
Bangalore, Dated 16-11-1931.

Dear Capt. Kinkhede

H S.R.3.

In continuation of my D.O.letter No. C/8 dated the 12th, I enclose herewith the order which I propose to pass in the departmental enquiry held by me recently into the conduct of Innasimuthu, a Bailiff of this Court, in the matter of the disappearance of certain valuables from an envelope entrusted to him for - delivery in the office of the Railway Magistrate on 15-7-1931; for the perusal and approval of the Hon'ble the Resident. The entire file of papers relating to this enquiry is also sent herewith. If the Hon'ble the Resident is pleased to agree with my suggestion - contained in the last paragraph of my order, I shall apply for necessary sanction for meeting the - - expenditure of about Rs 62/- proposed therein out of the provision in the current year's budget under the

P. T. O.

Sessions Cases Nos. 1 and 2 of 1931 (thefts by old offenders) were disposed of by me on 17/3/1931 and 18/3/1931 respectively and by the Hon'ble the Resident's Court in appeal on 24/6/1931. The records were received in this Court on 30/6/1931. On 9/7/1931 M.O.Nos. 5 and 6 in Sessions Case No.1 of 1931 were delivered to the complainant under my orders and on his application and the Registrar handed over the remaining material objects in the two cases on 10/7/1931 to the Bench clerk, Srinivasa Iyengar for despatch to the Railway Magistrate for being dealt with according to the judgment. On 15/7/1931 the Bench clerk packed the material objects in the two cases in two separate bundles and left them on the Registrar's table as the latter was then absent from the room and informed the Despatching clerk, Rajagopal Iyengar that they were the material objects in the two cases, that they had been checked according to the list and docket and had to be sealed in the presence of the Registrar and sent to the Railway Magistrate. Peon, Karaga was in the room till the Registrar came a few minutes later. After receiving the necessary information from the Despatching clerk the Registrar made bailiff, Hanumanthu put the two bundles in a big envelope in his presence and seal it with Court seals also in his presence. He saw before the bundles were put into the big envelope a black purse (M.O.9) protruding at the side of one of the bundles. After the envelope was sealed he sent for bailiff, Innasimuthu and asked him to deliver it at the office of the Railway Magistrate carefully and get an acknowledgment. The Despatching clerk told the bailiff that the cover was sealed and contained money and asked him to deliver it with special care and get an acknowledgment from the Police office immediately. This was at 12 noon or 12-15 P.M.

2. A D.O. and an official letter were received from the Railway Magistrate at about 4-30 P.M. From these it was found that M.Os. 9 and 12 to 14 in Sessions Case No.2 of 1931 were reported to be missing. The Registrar asked the Despatching clerk to enquire of the Bench clerk about the matter. The Bench clerk said that the missing material objects were in the black money purse. The matter was phoned to the Railway Magistrate's office and the Confidential Assistant phoned back that the purse itself was not received. It was again phoned to the Railway Magistrate's office at about 4-45 or 4-50 P.M. that the Bench clerk was proceeding to the Railway Magistrate's office and that facilities may be given to him to look into the matter personally. The Manager of the office phoned back that the Confidential Assistant had left office after the first phoning. The Registrar then sent the Bench clerk and later the Despatching clerk also to go on cycle and tell the Manager all that had transpired. It was accordingly done. The above facts are spoken to by the persons referred to.

3. The Confidential Assistant to the Commissioner of Police and the Court-clerk of the Railway Magistrate states that the bailiff brought to him a sealed cover at about 1-15 P.M. on 15/7/1931 and on opening it in the presence of the peon he found M.O.9 a black leather purse, M.O.12 nine ten rupee and two five rupee currency notes, M.O.13 ten rupee silver coins, one copper coin and an old copper coin and M.O.14 a small lens missing. According to him the peon also searched the small covers separately and asked him to give a letter about the missing articles. The clerk wrote in the delivery book and said he would send an official letter after the Railway Magistrate's arrival. The bailiff asked the clerk to look on

on the envelope whether anything was written on it. The endorsement thereon was "material objects in Sessions Cases Nos. 1 and 2 of 1931 as per list enclosed". The bailiff took the cover bearing seals and said he would show it to the clerk in the Sessions Court and left at about 1-25 P.M. The clerk specifically asked him to go and show to the Despatching clerk at once the remark in the delivery book. He says he did not pay any special attention to the state of the seals at the time as he did not suspect anything and thought the property may have been returned to the party and mention of the fact omitted in the letter. At about 4-15 P.M. a clerk of the Sessions Court phoned to him and said that the money might be in the purse and he replied that the purse itself was not found. Thereafter he was asked whether the seals in the cover were intact and he replied he did not pay any attention to that. The next morning the Registrar of this Court came to his office with the bailiff at about 12 noon with delivery book. When the clerk questioned the bailiff about the envelope he said he had thrown it away outside the Confidential Assistant's room and near the door as the Assistant had asked him to do so. The clerk says that it was not a fact. A search was made thereupon for the cover but it was not found.

4. The Bench clerk, Srinivasa Iyengar is a man with 27 years' service and a good record. He is positive that he put into the black purse all the material objects now missing and the purse itself in one of the bundles. The Despatching clerk and the Registrar are also positive that they saw a black purse bulging out at the side of one of the bundles. It is therefore certain that

that the purse was in the bundle at the time when the packet was sealed for despatch to the Railway Magistrate' Court. Srinivasa Iyengar could not have thought that the purse would be lost in transit and therefore it is improbable that he put only the purse without the money. I have no doubt therefore that all the missing objects should have been kept in the purse. Innasimuthu was specially told that the packet contained money and valuables and asked to get an immediate acknowledgment from the Railway Magistrate's office. He knew that Vinayagam Mudaliar of the Railway Magistrate's Court told him that certain articles were missing and he also searched for them. He also knew that Vinayagam Mudaliar had endorsed on the delivery book that the material objects were missing. Yet he did not run up here and report the matter or use the phone for the purpose in spite of his having been asked to get an immediate acknowledgment. Further he admits that he took possession of the sealed cover although he says in his statement that he threw it away as asked by Vinayagam Mudaliar in his own room. He says that there is a waste paper basket in the room and there was no reason for Mudaliar to ask him to throw it in the room. I believe he should have taken the cover as spoken to by Vinayagam mudaliar saying that he wanted to show it to the [redacted] clerk here. That cover is not to be traced now. This leads to the natural inference that Innasimuthu should have tampered with the seals and extracted the material objects and made away with the cover in order to escape detection. Mudaliar says that he actually read out the description of the articles that were missing. So knowing that valuables were found missing he chose to be absent on tapal delivery duty from about 1-25 P.M. till about 4-30 P.M. in spite of the Despatching clerk having asked him to come immediately with the acknowledgment

acknowledgment. These facts show clearly that Innasimuthu is responsible for the disappearance of the cash and articles. That Bench-clerk Srinivasa Iyengar did not show the material objects to the Registrar or Despatching clerk before they were packed in bundles or that Vinayagam Mudaliar of the Railway Magistrate's office did not examine the seals of the envelope that was delivered to him will not exonerate Innasimuthu. I find the charge proved against him.

5. It is unsafe to retain a dishonest man in service. I order his dismissal.

6. The sum to his credit as security deposit in the Postal Savings Bank viz. Rs Fifty and accrued interest thereon will be appropriated towards making up the sum lost. On my personal report to the Commissioner of Police on the night of 15/7/1931 the Police have investigated the case but have given up the matter treating the property as irrecoverable. The Commissioner of Police has sent the following communication on the suject:

"With reference to your letter No.C/6 dated the 10th instant,. I have the honour to state that in the course of investigation of the case registered in respect of the missing of the M.Os. from the sealed cover referred to it was ascertained that when the sealed cover was entrusted to Innasimuthu the M.Os. now reported missing were in the cover. From the time Innasimuthu was informed by my Confidential Assistant that some of the contents of the cover were not forthcoming Innasimuthu's conduct was very suspicious. He took over the empty cover but failed to produce it during enquiries, and further failed to bring the alleged loss to the notice of the Registrar or other officers of the District Court immediately. If the sealed cover had been produced for enquiries and if the enquiry had been started before the bailiff left the Police Office after delivering the cover something tangible could have been ascertained. Beyond this suspicious conduct on the part of Innasimuthu - who is heavily in debt - there is nothing definite in the shape of evidence against him, and inspite of all possible efforts to trace the stolen properties nothing was traced so far."

I have had an unofficial talk with the Public Prosecutor

Prosecutor placing before him all the materials and he is of opinion that a prosecution will not end in conviction. I therefore suggest that the balance of money required to make up the sum payable to the complainant (about Rs 62/-) may be paid by the Government. I have directed that in future all valuables to be despatched from this Court to other Courts or offices should be sent through a responsible clerk and an immediate acknowledgment taken.

TAG

District & Sessions Judge.

S.N.5.

CONFIDENTIAL
No.C/9616/721-1931.

THE RESIDENCY,
Bangalore,
16th December 1931.

My dear Reddi,

I am desired to refer to your confidential
S.N.4. demi-official letter No.C/10 dated the 16th November 1931, and to say that Colonel Burke is pleased to agree to your suggestion that the sum of about Rs.62/- should be paid by Government.

2. On receipt of your official application necessary sanction will be accorded to the expenditure in question under Rule 64 of the Book of Financial Powers. The expenditure is chargeable to the contingencies of your Court.

3. The entire file of papers relating to the departmental enquiry is returned herewith.

Yours sincerely,

o/c

To

C.V. Reddi Esq., B.A.,B.L.,
District and Sessions Judge,
Civil and Military Station, Bangalore.

S.R 6

· C o p y-

18, Nandaram Singh Lane,
Bangalore -
Dated 16th Novr. 1931.

Original forwarded to the Commissioner of Police.

To

The Secretary,
to the Honourable Resident in Mysore,
Bangalore.

Honoured Sir,

I beg to bring to your notice my following few lines with regret and therefore I hope the Honourable Sir will at once go into the matter.

On the 28th day of October 1931, I had an personal interview with the Commissioner of Police, C & M Station, Bangalore, regarding my money purse missing matter in the Cr. case No.3 of 1931 which is decided on the 18th of March 1931. He gave me a personal letter after my conversation with him addressing to your honour, and I came to you and delivered it on the same day. Up to this time I was expecting an reply about the matter which I did not receive. I therefore pray your honour to inform me about the same.

Secondly, I pray to your honour about my personal interview if allowed and shall be highly obliged about the time and place where I should come and see you at your leisure time.

Hoping success to my application and expecting an early reply.

I hope your Honour will excuse me the troubles given.

I beg to remain,

Honoured Sir

Your most obedient servant,

Sd/- W.E. Pundit.

S.N-7

No.C/9677/721-1931

THE RESIDENCY,
Bangalore,
4th January 1932.

My dear Sullivam,

S.N. 1.

I am desired to refer to your demi-official letter dated the 28th October 1931, regarding a case of theft in the District and Sessions Court, and to

c.n. 6

forward a letter from the Complainant with the request that he may be informed of the action taken in the ~~matter~~.

Yours sincerely,

o/c

To

E.H. Sullivan Esq.,
Commissioner of Police,
Civil and Military Station, Bangalore.

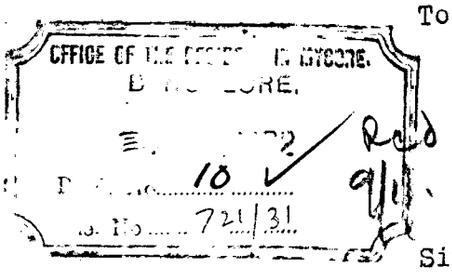
P.M.S

URGENT.

No. 6478. Civil and Military Station, Bangalore, Dated 31st December 1931.

From

C. V. Reddi Esq., B.A., B.L.,
District and Sessions Judge,
C. & M. Station, Bangalore.



To

The Secretary to the Hon'ble
the Resident in Mysore,
BANGALORE.

Sir,

On 15-7-'31 material objects in Sessions Cases Nos. 1 and 2 of 1931 on the file of my Court except those that had been returned by this Court were checked and bundled up by my Sessions Clerk in two separate bundles. Both the bundles together with a list of the M.O's were placed in an envelope and sealed before the Registrar with the Court seal. The sealed envelope was handed over by the Despatching Clerk within a few minutes thereafter, at about 12 noon or 12-15 P.M. to Innasimuthu, a Bailiff of this Court who is entrusted with delivery of letters every day and he was directed to hand over the sealed envelope with its valuable contents at once to the Railway Magistrate and get an entry of acknowledgment in the peon-book. The Bailiff is said to have left office immediately on bicycle and returned to office only at about 4-45-P.M. The first intimation of non-receipt of the following M.Os, viz., (1) a black leather purse (M.O.9) (2) Nine 10 rupee and two 5 rupee currency notes (M.O.12) contained in M.O.9. (3) Ten one rupee silver coin, one copper and an old copper coin (M.O.13) and (4) a small lens (M.O.14), was received in my office from the office of the Commissioner of Police and Railway Magistrate at about 4-30 P.M. that day. A careful and thorough search was made in my office by my Registrar

Registrar for the missing material objects and as they were not found here I reported the matter to the Commissioner of Police (Mr. Hilton) that very night at his residence. Immediately I called upon my Registrar, Sessions Clerk, and Despatching Clerk to give me their statements of what they actually knew about the incident. Similar statements were received by me on the next day (16-7-'31) from - Bailiff Innasimuthu, Bailiff Hanumanthu who sealed the envelope and Mr. S.L.Vinayaga Mudaliar of the Police Commissioner's office. The Police investigated into the matter and I got a Commissioner's Confidential report dated 16/17-9-'31 stating that the missing - articles could not be traced. I ordered the suspension of Bailiff Innasimuthu with effect from 18-7-1931 until further orders. Thereafter I framed a charge in writing against Innasimuthu and held a departmental enquiry in proper form. I have passed orders today in this enquiry dismissing Bailiff Innasimuthu from Government Service and directing that the security amount of Rs 50/- furnished by him and deposited in the Post office Savings Bank at Bangalore with the accrued interest thereon be forfeited and utilised in paying to the complainant in the Sessions Case. As the complainant has to be paid the balance, and the shortage has to be made good by the Government. I have the honour to request that the Hon'ble the Resident may be pleased to accord sanction for the payment of the actual balance due to the complainant (after adjusting the security deposit of Innasimuthu), about Rs 62/- out of the provision in the current year's budget under the head of "F.3.Civil & Sessions Courts - F.3 (4) Contingencies."

I have the honour to be,
Sir,
Your most obedient servant,

District & Sessions Judge.

PS.

Proceedings of the Hon'ble the Resident in Mysore.

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No. 378 Dated Bangalore 15th January 1932.

O R D E R.

The Hon'ble the Resident is pleased to sanction the expenditure of Rs.62/- to be incurred in payment of the amount due to the complainant in sessions cases Nos. 1 and 2 of 1931 on the file of the Court of the Sessions Judge, Civil and Military Station, Bangalore, towards the cost of the material objects produced in court and were subsequently stolen therefrom.

The amount will be met from the provision in the Bangalore Assigned Tract budget estimate for 1931-32 under Account IV - Other Expenditure Heads - F. Administration of Justice - 3 - Civil and Sessions Courts - (4) Contingencies - Rs.3,400/-.

for Secretary to the Resident.

The Sessions Judge, Civil and Military Station, Bangalore, with reference to his letter No. 6478, dated the 31st December 1931.

The Accountant General, Madras.

S.N.8

BJ

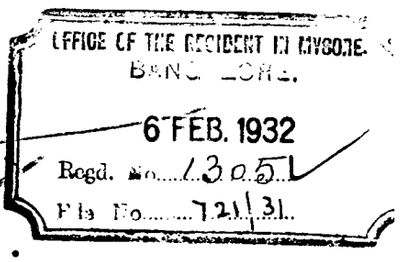
(y)

No. T.1-Bang.-291 R612

OFFICE OF THE ACCOUNTANT-GENERAL MADRAS.

Fort St. George, 4th February 193 2:

Enclosures.



FROM

THE ACCOUNTANT GENERAL,
MADRAS,
(T.A.D. 1 Section).

721/31

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

✓ S.N.9 (2)

SIR,

Ref:-Proceedings No.308 dated 15-1-1932 sanctioning an expenditure of Rs.62/- to be incurred in payment of the amount due to the complainant in sessions cases Nos.1 and 2 of 1931.

I have the honour to invite a reference to the proceedings quoted above, and to enquire the circumstances in which the material objects produced in court were stolen therefrom, whether any complaint was made to the Police, and if so, with what result, and also what steps were taken to recover the cost of the objects from the persons responsible for the loss.

I have the honour to be,

Sir,

Your obedient servant,

Assistant Accounts Officer.

ya 5/2

PKS

No. 2845-Enc. 1 23rd Apr. 1932

From

The Secretary.

To

The Accountant-General,

Madras.

Theft of material objects in Sessions Cases Nos. 1 and 2 of 1931 on the file of the Sessions Judge, C. & M. Stn., Bangalore.

Sir,

With reference to your letter No.T.1.-Bang.-291 dated the 4th/5th February, 1932, on the above subject, I am directed to forward a copy of letter No.6478 dated the 31st December 1931, from the District & Sessions Judge, C. & M. Station, Bangalore, It contains the information asked for.

I have etc.,

SECRETARY TO THE RESIDENT.